

May 29, 1992

309

Honorable Robin Tallon
House of Representatives
Washington, D.C.

Dear Congressman Tallon:

Your comments regarding the FBI in the April 27th TIME magazine article entitled "Gander: Different Crash, Same Questions," caused me considerable concern.

After reading the article, I directed a member of my staff to contact your office to determine the basis for your complaint of being "sealed off" by the FBI regarding your inquiries into the 1985 crash of an Arrow Air military transport plane in Gander, Newfoundland. Please be reminded that, during 1989 and 1990, we responded to your concerns on numerous occasions, both orally and in writing, and in the fullest manner possible. Our last record of contact with you is a letter dated October 15, 1990 (copy attached for your convenience). In fact, when contacted, your staff failed to identify a single instance in which the FBI had failed to respond to any of your inquiries regarding this matter.

While we are appreciative of the fact that questions still linger about the cause of the crash, the FBI's role and jurisdiction in the aftermath of the tragic incident have been fully explained to you in past correspondence. As you know, because the crash took place in Canada, it was not within our authority at that time to conduct an investigation without a request for assistance from the Canadian Government. As such, our involvement was limited and most of the FBI's efforts were limited to the identification of victims. Under applicable statutes and regulations previously explained to you, we have provided you with a redacted copy of FBI documents relating to this matter. During an investigation by the House Judiciary Subcommittee on Crime into the Gander crash, we cooperated fully by allowing that Subcommittee an opportunity, under an exception of the Privacy Act of 1974, to review these records in their entirety. The FBI also cooperated by having then-Deputy Assistant Director Nicholas V. O'Hara provide testimony before that Subcommittee in December, 1990.

95-271189-71

- 1 - [] - Enclosures (2)
- 1 - [] - Enclosures (2)
- 1 - Mr. Collingwood - Enclosures (2)
- 3 - [] - Enclosures (2)
- 1 - [] - Enclosures (2)

NOTE: This response was coordinated with Unit Chief []
CID, and SSA [] OPA. The Contact in
Congressman Tallon's office was by SSA [] with []

EG:SR (7)
ENCLOSURE

SSA []
ROOM 7240

- Dep. Dir. _____
- ADD Adm. _____
- ADD Inv. _____
- Asst. Dir.: _____
- Adm. Servs. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____
- Lab. _____
- Legal Coun. _____
- Rec. Mgnt. _____
- Tech. Servs. _____
- Training _____
- Cong. Affs. Off. _____
- Off. of EEO _____
- Off. Liaison & _____
- Int. Affs. _____
- Off. of Public Affs. _____
- Telephone Rm. _____
- Director's Sec'y _____

- APPROVED: []
- | | | |
|-------------------|--------------------|------------------------|
| Adm. Servs. _____ | Laboratory _____ | Off. of Liaison _____ |
| Crim. Inv. _____ | Legal Coun. _____ | & Int. Affs. _____ |
| Ident. _____ | Tech. Servs. _____ | Off. of _____ |
| Dep. Dir. _____ | Info. Mgnt. _____ | Public Affs. _____ |
| ADD-Adm. _____ | Inspection _____ | Cong. Affs. Off. _____ |
| ADD-Inv. _____ | Intell. _____ | Off. of EEO _____ |

MAIL ROOM ☐

5-25-92

Honorable Robin Tallon

If you have any questions concerning this response, please feel free to contact me or have a member of your staff contact John E. Collingwood, of my Congressional Affairs Office staff, at (202) 324-2727.

Sincerely yours,

William S. Sessions
Director

Enclosures (2)

monoxide and hydrogen cyanide in body tissues, proving that the fire and explosion occurred while the passenger was still breathing. I. Irving Pinkel, a NASA expert who also investigated Apollo 1's fatal fire, found two fuselage holes with an "outward pucker," indicating an explosion from within. Finally, four members of the refueling crew swore there was no icing problem before the plane took off.

Although the U.S. government stated that no explosives were aboard, fire fighters heard small arms popping all over the place and saw debris flying into the air from delayed explosions. "There were 30 to 40 such explosions," the Gander fire chief reported. Later, live rocket rounds were found among the wreckage, as was an 80-lb. (32-kg) duffel bag stuffed with U.S. currency.

As Wheaton probed deeper, he discovered that six heavy crates, which he suspects contained contraband arms, had been loaded into the jet's cargo bay in Cairo without military customs clearance. To squeeze them onto the plane required removing some of the soldiers' duffel bags. Gerald De Porter, the former Army customs inspector there, who is now working as a pharmacist in Fayetteville, North Carolina, says, "I couldn't check the cargo because I wasn't issued a pass to go out on the tarmac."

Wheaton also located witnesses who confirmed that weapons, including row antitank missiles, were being stockpiled in the Sinai. When he scrutinized Arrow Air's manifest, he discovered a mysterious Company E, consisting of 22 men who were not part of the 101st Airborne. All had the same mos (Military Occupational Specialty) 11-H, indicating they were row gunners.

"At that moment the U.S. was in the process of selling thousands of rows to Iran," says Wheaton. "Since it's unlikely that we'd sell such sophisticated weapons without providing instructors, Company E may have been part of the arms-for-hostages deal."

ALSO ABOARD THE DOOMED JET were about 20 members of Task Forces 160 and 163. These elite counterterrorist units included helicopter pilots, crew chiefs, mechanics and other support personnel often used on hostage-rescue missions. Zona Phillips picked up an intelligence report suggesting that they belonged to Seal Team 6, the commando unit poised to recapture the *Achille Lauro* off the Egyptian coast before the cruise ship's hijackers surrendered.

"Task Force 160 may have actually attempted but failed to free the hostages," says Wheaton. He points out that North had precise intelligence on the hostages' location. Five of the six Americans were being held in Building No. 18 in the Sheik Abdullah barracks in the Baalbek region of Lebanon. "Very possibly," adds Whea-

ton, "North ordered the raid after irate Iranian officials threatened to retaliate with a shipment of the wrong Hawk missile. In fact, three days before the Gander crash, North revealed both his determination to continue the Iranian arms shipments and his concern for the hostages' safety. "To stop now in midstream," he



THE INVESTIGATOR
Gene Wheaton was picked by the victims' families after the FBI and the Canadian Mounties disregarded the Islamic Jihad's claim that it had blown up the plane

wrote, "would ignite Iranian fire. Hostages would be our minimum losses."

Another mystery surrounding the Gander crash are the lingering ailments that plague many of the fire fighters and other rescue workers, whose liver enzyme rate was found to be abnormally high. They had been warned to watch out for nerve-gas canisters. However, Wheaton says, "the real hazard was possibly radiation poisoning from nuclear backpacks, portable units with timing devices that Special Forces personnel sometimes carry to blow up bridges and block their pursuers."

The suspicious symptoms of the rescue workers have been hotly debated in Canada. A Health and Welfare department study attributed the illnesses to "mass hysteria," "post-traumatic syndrome" and "eating too much moose meat," since many of the men were avid hunters. But M.P. George Baker claims that the investigating physicians took no blood samples or X rays, attempting merely to compile what he called a "theoretical study." He also asserts that two of the three doctors refused to sign the final report. The threat of radiation poisoning may explain why General Crosby wanted to bulldoze over the wreckage so quickly.

While the wreckage in Lockerbie was meticulously sifted for bomb clues, no such effort was made in Gander. Yet there was good reason to take seriously the Islamic Jihad's boast that it had blown up the Arrow Air jet. Telephone calls claiming responsibility for the crash were immediately received by both the U.S. consulate in Oran, Algeria, and Reuters news agency in Beirut. The Beirut caller even knew that the plane had been delayed for five hours in Cologne, and explained that was why it blew up over Canada instead of over the U.S. He said the Shi'ite Muslim extremist group planted a bomb on board to prove "our ability to strike at the Americans anywhere."

A bomb, Wheaton contends, could have been planted on the plane in the Cairo airport, where a 30-minute blackout occurred during loading and where, he says, Egyptian baggage handlers were unsupervised by Americans. One month after the crash, the American embassy in Mauritius received a letter signed "Sons of Zion." It described how the Arrow Air jet was "sabotaged" by a "cold-blooded, premeditated act . . . a few hours before take-off with the complicity of several Egyptian and Libyan mechanics."

Repeated efforts by the Families for Truth About Gander to open FBI files about the crash have failed. Democratic Congressman Robin Tallon of South Carolina has tried to help. Two years ago, he persuaded 103 other members of the House of Representatives to petition President Bush to initiate an "investigation to explore all possible crash theories." Bush never responded. Tallon, who says that up until then he had frequently visited the White House, says he was never invited back. "The FBI and CIA have also sealed me off," Tallon complains. "They don't even answer my phone calls."

The House Judiciary Subcommittee on Crime and Criminal Justice held a two-day hearing on the crash in December 1990. It ended without a call for action, despite surprising revelations of FBI apathy. Last week Tallon announced that he would introduce a bill to establish a commission with full subpoena power to investigate the crash the way it should have been examined seven years ago.

At that time the FBI's forensic team had flown to Newfoundland on the day of the crash, then sat in a Gander motel, the subcommittee found, awaiting "whatever reports or conclusions Canadian authorities saw fit to share with them. After a mere 36 hours the agents accepted a declaration that 'terrorism was not involved,' and returned home." The FBI claimed the Canadians did not allow its agents to visit the crash site or to participate in the investigation. But nothing prevented the bureau from launching a worldwide hunt for terrorist involvement, as it did after the Pan Am bombing.

GANDER

DIFFERENT CRASH, SAME QUESTIONS



TANNENBAUM—SIGMA

Officials blamed the 1985 tragedy on icy wings. Was it really sabotage aimed at some of the plane's passengers?

By ROY ROWAN

FLYING HOME FOR CHRISTMAS IN 1985, three years before the Pan Am bombing, 248 American soldiers and eight crew members died when their chartered DC-8 jet plunged to earth just after taking off from a refueling stop in Gander, Newfoundland. It was the worst

U.S. military air disaster ever. Icing of the wings was immediately suggested as the cause, although Islamic Jihad terrorists just as quickly boasted of blowing up the jet.

It wasn't until 1989 that an Iran-*contra* connection to the tragedy was revealed. Arrow Air, the charter company, turned out to be one of Lieut. Colonel Oliver North's regular arms shippers. Although most of the crash victims belonged to the U.S. 101st Airborne Division, returning from six months' duty with the multinational peacekeeping force in the Sinai, more than 20 Special Forces personnel trained for counterterrorist missions were also on board. Suspicions have recently deepened that they, like Charles McKee and the members of his hostage-rescue team on Pan Am Flight 103, were the target of an attack.

Both the U.S. and Canadian governments seemed determined to literally bury

any evidence that might point to such a conclusion. Major General John Crosby, then the U.S. Army's deputy chief of staff for personnel, arrived in Gander within hours of the tragedy. He was quoted by the Arrow Air maintenance chief as wanting to "bulldoze over the crash site immediately," although Crosby has denied it. Just as quickly, White House spokesman Larry Speakes assured the world there was "no evidence of sabotage or an explosion in flight."

In 1988, after interminable foot dragging and infighting, the nine-member Canadian Aviation Safety Board issued a split verdict. Five attributed the crash to ice formation and not to an explosion. But four, including two aeronautical engineers, disagreed so vociferously that a former Canadian supreme court justice was appointed to see if a new investigation should be opened. The evidence, wrote Justice Willard Estey, "does not support ice contamination." Nevertheless, he advised that further probing would be unfair to the victims' families. "It's for their sake that the case should be reopened," counters George Baker, the Liberal Party Member of Parliament from Gander, who lives one mile (1.6 km) from the crash site.

A new book titled *Improbable Cause*, written by Les Filotas, one of the dissenting air-safety board members, promises on its cover to expose the "deceit and dissent in the investigation." Filotas does that with a devastating accumulation of evidence spanning 553 pages. "Many of the experts involved in the investigation," says Filotas, "didn't realize they were participating in a cover-up."

Even sharper accusations are being leveled by M. Gene Wheaton, the private investigator appointed by the Families for

A piece of fuselage in the Newfoundland woods after the 1985 disaster. Some eyewitnesses saw the plane explode.

Truth about Gander, Inc. The organization was founded in 1989 by Dr. J.D. Phillips and his wife Zona of St. Petersburg, Florida. As father and stepmother of one of the victims, they charged the U.S. with "failing to conduct a full inquest, or even revealing the facts it does possess."

As he pored over the forensic evidence, Wheaton became convinced that the plane had suffered a precrash explosion—and that there had been a U.S.-Canadian conspiracy to conceal the cause of the accident. "If the truth about this crash had gotten out in 1985," he says, "it would have exposed the Iran-*contra* scandal one year before it became public."

Wheaton knew many of the Iran-*contra* conspirators personally and had tracked their planes and pilots, making him a valuable source for congressional investigators trying to unravel the secret arms deals of Oliver North. Arrow Air, Wheaton instantly recognized, was a CIA-operated company.

To him, the evidence of a precrash explosion is overwhelming. The Royal Canadian Mounted Police obtained sworn statements from five witnesses who saw the DC-8 spewing flames before it fell. Judith Parsons, an airport rental-car agent, was warming up her automobiles out in the parking lot when she saw the sky light up. Suddenly "a large orange oval" appeared above the ground, she reported. "It just blew up and went everywhere, burning like cinders falling to the earth."

Rescue workers described charred bodies hanging from unscorched trees, indicating that some of the victims were already burned when they fell out of the sky. Autopsies also disclosed lethal doses of carbon

THE UNTOLD STORY OF PAN AM 103

F.B.I. [redacted]
10TH & PENN. AVE., #7240
1 TIME 1 NEWSWEEK
1 US NEWS & WR
1 ECONOMIST

b6
b7C

Maid of the Seas



724404

ENCLOSURE
95-271189-71